

Attorney Docket No. 3477-112

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Wu et al.

Confirmation No. 5581

Application No.: 10/538,951

International Filing Date: December 24, 2003

International Application No.: PCT/CA03/02020

Date: March 28, 2006

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

Responsive to the February 14, 2006 Notification of Missing Requirements ("the Notification") under 35 U.S.C. § 371 in the United States Designated/Elected Office issued regarding the above-identified patent application, enclosed are:

- 1) an executed Declaration and Power of Attorney document (5 pages);
- 2) a copy of the Notification; and
- 3) a check in the amount of \$130.00 as payment of the surcharge for a large entity.

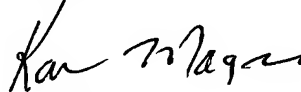
The Notification indicates that the application does not contain a Sequence Listing as required by 37 C.F.R. § 1.821(c) and requests Applicants to provide an initial paper or compact disk copy of the Sequence Listing, as well as an amendment specifically directing its entry into the application. However, Applicants believe that no Sequence Listing is required for this application, in that the application does not contain any nucleotide sequence disclosures of ten or more basepairs in length, or amino acid sequence disclosures of four or more amino acids in length.

Accordingly, Applicants have not provided a Sequence Listing with this response. However, should there be any further concerns in this regard, Applicants respectfully request that any future communications specifically

indicate where in the specification there is a sequence(s) that the Office believes requires submission of a Sequence Listing.

The amount enclosed is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No 50-0220.

Respectfully submitted,



Karen A. Magri  
Registration No. 41,965


**Customer No. 20792**  
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**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

"Express Mail" mailing label number: EV854953007US

Date of Deposit: March 28, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Katie Wu

KAM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

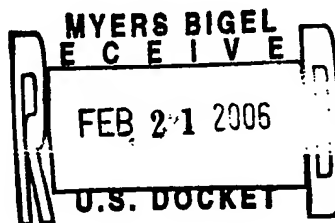
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,951	Jian Ping Wu	3477-112

INTERNATIONAL APPLICATION NO.
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PCT/CA03/02020

I.A. FILING DATE	PRIORITY DATE
12/24/2003	12/24/2002

20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
 RALEIGH, NC 27627



CONFIRMATION NO. 5581  
 371 FORMALITIES LETTER  

 \*OC000000018034091\*

Date Mailed: 02/14/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/14/2005
- Copy of the International Search Report filed on 06/14/2005
- Preliminary Amendments filed on 06/14/2005
- U.S. Basic National Fees filed on 06/14/2005
- Priority Documents filed on 06/14/2005
- Specification filed on 06/14/2005
- Claims filed on 06/14/2005
- Abstracts filed on 06/14/2005
- Drawings filed on 06/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

12-24-03 A07:12 IN

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,951	PCT/CA03/02020	3477-112